

AWARD NO. 48
Case No. 48

SPECIAL BOARD OF ADJUSTMENT NO. 421

TRANSPORTATION-COMMUNICATION EMPLOYEES)
UNION)
vs.)
NEW YORK CENTRAL RAILROAD, EASTERN)
DISTRICT (Except Boston and Albany)
Division) and NEW YORK DISTRICT)



STATEMENT OF CLAIM:

Claim of the General Committee of the Transportation-Communication Employees Union on the New York Central System (Eastern District), that:

1. Carrier violated the terms of the Telegrapher's Agreement on January 25, 1965, when it required or permitted Assistant Trainmaster, E. S. Crounse, Jr., to deliver train order No. 101 to train Extra-1046 West at South Schenectady, New York.
2. Carrier shall compensate George Clements, who was available and had sufficient rest, for 8 hours at the time and one-half rate for said violation.

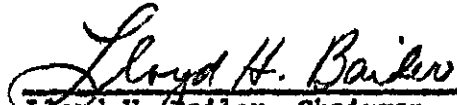
OPINION OF BOARD:

Under the circumstances involved in this case, we conclude that Carrier violated the Agreement by requiring Assistant Trainmaster E. S. Crounse, Jr. to deliver train order No. 101 to train Extra 1046 West at South Schenectady, New York. The claim therefore will be sustained, but only to the extent of a minimum call of two hours at time and one-half rate (per Article 5 (a)), since there was a regularly assigned employee under the scope of the Agreement at South Schenectady who was subject to call.

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AWARD:

Part 1 of the claim sustained. Part 2 of the claim sustained
to the extent of a minimum call per Article 5 (a) of the Agreement.


Lloyd H. Bailer, Chairman


T. A. Seymour, Carrier Member


R. J. Woodman, Employee Member

Dated: November 18, 1966